SINGLE BENCH

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

W.P. No.1992/2005

PETITIONER : **Smt. Ganga Bai** Wd/o Late Ramcharan, Aged about- 55 years, R/o. Village- Godhana, Tehsil- Nawagarh, District- Janjgir Champa (C.G.)

VERSUS

RESPONDENT : 1. State of Chhattisgarh, Through : The Secretary, Revenue Department, D.K.S. Bhawan, Raipur, District- Raipur (Chhattisgarh).

2. The Collector, Janjgir, District- Janjgir-Champa (C.G.).

3. The Sub-Divisional Officer, Janjgir, District- Janjgir-Champa (C.G.).

P.R. No. 1537/05
Presented by Shri [illegible]
dated 11-04-05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

The above named petitioner respectfully beg to submit as under:

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(28)

मामला क्रमांक ..... WP 1992/05 ..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	13.6.2005 Shri P.K. Patel, counsel for the petitioner. Shri Sandeep Dubey, Govt. Advocate for the State. Heard. The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India being aggrieved by the inaction on the part of the respondents. The petitioner's case is that she is the granddaughter of Late Mujanu, who was working on the post of Village Kotwar before 1950 in Village Godhana, Teshil Nawagarh, District Janjgir-Champa. The then Malguzars had granted a plot of land bearing Khasra No.24 Rakba 20.34 acres Patwari Halka No.12 to the grand father of petitioner and since then the petitioner and her ancestors are in continuous possession of the said land and the relevant documents are Annexure P-5 & P-6. The petitioner's further case is that in writ petition No.2632/2000 entitled as Chhabil Das & others Vs. State of M.P. & others and W.P. No.2064/2000 entitled as Tikaram & others Vs. State of M.P. & others vide order dated 30.10.2001 this Court directed the competent authority to grant Bhumiswami rights to the Kotwars, who were Kotwars before 1950, copies of the orders are Annexures P-2 & P-3 and circular dated 18.5.04 issued in this regard is Annexure P-4. In compliance of the said orders the petitioner had filed an application (Annexure P-1) under Section 57(2) of the Land Revenue Code, 1959 before respondent No.3-Sub Divisional Officer, Janjgir for grant of Bhumiswami right, but respondent No.3 is not deciding the said application.	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(29)

मामला क्रमांक ..... WP 1992/05 ..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Learned counsel for the petitioner submits that respondent No.3 be directed to decide the application of the petitioner and pass the order, to which learned counsel for the respondents has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, respondent No.3 is directed to decide the application of petitioner filed under Section 57(2) of the C.G. Land Revenue Code, 1959 within a period of three months from today in accordance with law.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.W.P. No.1580/05 & I.A. Nos. 3747/05 & 3748/05 also stand disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

SP/FS/2005 - 20,000